

SEVENTY-SEVENTH LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Jim Hudson of Knox County.

Representative Hudson led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 87

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

The Speaker announced that Representative Stafford was excused because of illness.

The Speaker announced that Representative Huskey was excused because of business.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 1733, 1734, 1843, 1848, 1860, 1955 and 2286; also, House Joint Resolution No. 288; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 1733, 1734, 1843, 1848, 1860, 1955 and 2286; and House Joint Resolution No. 288; for his action.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1341--To regulate coal surface mining;

1517--To regulate public records act; both passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

540--Relative to commending Dr. Lee Roberson concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

1499--To redistrict state representative districts; substituted for Senate Bill on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

507--Relative to honoring Smyrna Elementary West School;

508--Relative to memory, Reverend Milard Filmore Strunk;

509--Relative to memory, Roscoe Dixon, Sr.;

511--Relative to honoring Bobbie Bates Crowder;

528--Relative to honoring Walter P. Armstrong, Jr.; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1422--To regulate hotel-motel tax, Rutherford County.

2291--To fix tax rate, Milan Special School District;

2292--To regulate civil service system, Greeneville;

2293--To amend Charter, Dyer; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 201, 1280, 1321, 1359, 1439, 1525, 1588, 1593, 1615, 1660, 1709, 1719, 1827, 1883, 1917, 1928, 1951, 2009, 2018, 2043, 2093, 2111, 2133, 2219, 2230 and 2233; also, Senate Joint Resolutions Nos. 223, 225 and 236; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 201, 1280, 1321, 1359, 1439, 1525, 1588, 1593, 1615, 1660, 1709, 1719, 1827, 1883, 1917, 1928, 1951, 2009, 2018, 2043, 2093, 2111, 2133, 2219, 2230 and 2233; and Senate Joint Resolutions Nos. 223, 225, 236.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 769, 1057, 1374, 1499, 1593, 1810, 1821, 1910, 2051, 2119, 2273, 2281, 2284, 2288 and 2289; House Resolutions Nos. 137, 139, 140, 141, 143 and 144; and House Joint Resolutions Nos. 507, 508, 509, 510, 511, 528 and 540; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 769, 1057, 1374, 1499, 1593, 1810, 1821, 1910, 2051, 2119, 2273, 2281, 2284, 2288 and 2289; House Resolutions Nos. 137, 139, 140, 141, 143 and 144; and House Joint Resolutions Nos. 507, 508, 509, 510, 511, 528 and 540.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1499; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 510 and 540; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1499; and House Joint Resolutions Nos. 510 and 540; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1576 without his signature.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

House Bill No. 1576 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the state of Tennessee.

CALENDAR

House Bill No. 2131--To set base salary schedule, librarians.

On motion, House Bill No. 2131 was made to conform with Senate Bill No. 1673.

On motion, Senate Bill No. 1673, on same subject, was substituted for House Bill No. 2131.

Mr. Wheeler moved that Senate Bill No. 1673 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	86
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Mr. Murphy moved that House Bill No. 440 be placed on the Calendar for Monday, May 21, 1984, which motion prevailed.

House Joint Resolution No. 330--Relative to study, need for health insurance.

Mr. Starnes moved that House Joint Resolution No. 330 be adopted, which motion prevailed by the following vote.

Ayes 88
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

House Bill No. 1966--To regulate grievance procedures, civil service employee.

On motion, House Bill No. 1966 was made to conform with Senate Bill No. 1404.

On motion, Senate Bill No. 1404, on same subject, was substituted for House Bill No. 1966.

Mr. Love moved that Senate Bill No. 1404 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 56
Noes 33

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Gaia, Gill, Hillis, Hurley, Jared, Johnson, Jones, Kernell, King (Shelby), Kisber, Love, McKinney, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--56.

Representatives voting no were: Anderson, Atchley, Bewley, Chiles, Clark (Sumner), Duer, Elsea, Ford, Frensley, Gafford, Harrill, Hassell, Henry, Hudson, Kelley, Kent, King (Washington), McAfee, McNally, Montgomery, Moody, Moore (Shelby), Nance, Robertson, Robinson (Washington), Scruggs, Smith, Wallace, Webb, Whitson, Williams, Wolfe and Wood--33.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Ms. DeBerry, Speaker pro tem.

House Bill No. 2201--To make certain provisions, solicitation of charitable funds.

Mr. Covington moved that House Bill No. 2201 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	90
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--90.

Representative voting no was: Bragg--1.

A motion to reconsider was tabled.

House Bill No. 2202--To amend Post Mortem Examination Act.

On motion, House Bill No. 2202 was made to conform with Senate Bill No. 1868.

On motion, Senate Bill No. 1868, on same subject, was substituted for House Bill No. 2202.

Mr. Covington moved that Senate Bill no. 1868 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy,

Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--89.

A motion to reconsider was tabled.

Mr. Covington moved that House Bill No. 2216 be placed on the Calendar for Monday, May 21, 1984, which motion prevailed.

House Bill No. 1726--To set amount of surety bonds, certain notaries public.

On motion, House Bill No. 1726 was made to conform with Senate Bill No. 1408.

On motion, Senate Bill No. 1408, on same subject, was substituted for House Bill No. 1726.

Mr. Williams moved that Senate Bill No. 1408 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1408 by inserting the following language at the end of the amendatory language of Section 1:

Provided, further, that such bond requirement shall only apply to notaries in such counties upon the issuance of their commissions for terms of office which begin after this act becomes effective upon being approved as provided in Section 2 of this act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1408, as amended, passed its third and final consideration by the following vote:

Ayes	77
Noes	3
Present and not voting	7

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Napier,

Owen, Percy, Phillips, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton--77.

Representatives voting no were: Cobb, Nance and Shirley--3.

Representatives present and not voting were: Crain, Dills, Moore (Shelby), Rhinehart, Turner (Shelby), Wix and Work--7.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 261

House Joint Resolution No. 261--Relative to amending Constitution, to authorize lotteries.

Mr. Johnson moved that House Joint Resolution No. 261 be passed on first reading.

At the request of the sponsor, House Joint Resolution No. 261 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 261 failed to pass its first reading by the following vote:

Ayes	42
Noes	46
Present and not voting	1

Representatives voting aye were: Brewer, Chiles, DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Gafford, Gaia, Hassell, Hudson, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), Kisber, Love, McKinney McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Owen, Pickering, Rhinehart, Robinson (Washington), Severance, Tanner, Ussery, Webb, Wheeler, Williams, Work and Mr. Speaker McWherter--42.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Ford, Frensley, Harrill, Henry, Hurley, Kelley, King (Washington), McAfee, Montgomery, Moody, Nance, Napier, Percy, Robertson, Robinson (Davidson), Scruggs, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Wix, Wolfe, Wood and Yelton--46.

Representative present and not voting was: Robinson (Hamilton) --1.

Under the rules, House Joint Resolution No. 261 was re-referred to the Committee on Calendar and Rules.

Mr. Robertson moved that House Bill No. 1847 be placed on the Calendar for Monday, May 21, 1984, which motion prevailed.

House Bill No. 1604--To regulate low-income energy assistance programs.

On motion, House Bill No. 1604 was made to conform with Senate Bill No. 1694.

On motion, Senate Bill No. 1694, on same subject, was substituted for House Bill No. 1604.

Mr. Murphy moved that Senate Bill No. 1694 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representative present and not voting was: Disspayne--1.

A motion to reconsider was tabled.

House Bill No. 1408--To require proof of immunization, school children.

On motion, House Bill No. 1408 was made to conform with Senate Bill No. 1349.

On motion, Senate Bill No. 1349, on same subject, was substituted for House Bill No. 1408.

Mr. Davis (Gibson) moved that Senate Bill No. 1349 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	83
Noes	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--83.

Representative voting no was: Bell--1.

A motion to reconsider was tabled.

House Bill No. 2122--To amend Title 67, Chapter 5, Code.

On motion, House Bill No. 2122 was made to conform with Senate Bill No. 2098.

On motion, Senate Bill No. 2098, on same subject, was substituted for House Bill No. 2122.

Mr. Copeland moved that Senate Bill No. 2098 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--87.

A motion to reconsider was tabled.

House Bill No. 1600--To allow employment, retired judges, certain cases.

On motion, House Bill No. 1600 was made to conform with Senate Bill No. 1876.

On motion, Senate Bill No. 1876, on same subject, was substituted for House Bill No. 1600.

Mr. Murphy moved that Senate Bill No. 1876 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1876 by inserting between the word "retired" and the word "judge" in subsection (a) of the amendatory language of Section 1 the words "or former".

FURTHER AMEND by inserting between the word "retired" and the word "Tennessee" in subsection (b) of the amendatory language of Section 1 the words "or former".

FURTHER AMEND by inserting between the word "retired" and the word "judge" in the first second, third and fourth sentences of subsection (c) of the amendatory language of Section 1 the words "or former".

FURTHER AMEND by inserting between the words "retired" and the word "judge" wherever such words appear together in subsections (d) and (f) of the amendatory language of Section 1 the words "or former".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1876, as amended, passed its third and final consideration by the following vote:

Ayes	82
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Johnson, Jones, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--82.

A motion to reconsider was tabled.

House Bill No. 2186--To clarify eligibility, release classification status.

On motion, House Bill No. 2186 was made to conform with Senate Bill No. 2158.

On motion, Senate Bill No. 2158, on same subject, was substituted for House Bill No. 2186.

Mr. Murphy moved that Senate Bill No. 2158 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2158 by deleting wherever they appear in the 6.11 the following provisions:

"provided, however, that no person serving a sentence imposed pursuant to a conviction for the crime of aggravated rape, rape or armed robbery shall be eligible for placement in a work release program."

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2158, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

A motion to reconsider was tabled.

House Bill No. 1658--To provide for inspection, certain confidential public records.

On motion, House Bill No. 1658 was made to conform with Senate Bill No. 1699.

On motion, Senate Bill No. 1699, on same subject, was substituted for House Bill No. 1658.

Mr. Murphy moved that Senate Bill No. 1699 be passed on third and final consideration.

Ms. Montgomery moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1699 by adding the following new Section immediately before the effective date section:

SECTION. Tennessee Code Annotated, Section 10-7-504, is amended by adding one (1) new subsection as follows:

() All investigative records of municipal law enforcement agencies shall be treated as confidential and shall not be open to inspection by members of the public; however, the information contained in such records shall be disclosed to the public only in compliance with a subpoena or an order of a court of record.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1699, as amended, passed its third and final consideration by the following vote:

Ayes 89
Noes 2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--89.

Representatives voting no were: Chiles and Wix--2.

A motion to reconsider was tabled.

Mr. King (Washington) moved that House Bill No. 1792 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

Ms. Williams moved that House Bill No. 1729 be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

House Bill No. 1602--To make certain provisions, public records.

On motion, House Bill No. 1602 was made to conform with Senate Bill No. 1517.

On motion, Senate Bill No. 1517, on same subject, was substituted for House Bill No. 1602.

Mr. Murphy moved that Senate Bill No. 1517 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	84
Noes	4

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--84.

Representatives voting no were: Atchley, Chiles, Moody and Wix --4.

A motion to reconsider was tabled.

BILL RECALLED

On motion of Mr. Miller, Senate Bill No. 1990 was recalled from the Senate for further consideration.

House Bill No. 1738--To provide for protection of archaeological sites.

Ms. Moore (Sullivan) moved that House Bill No. 1738 be passed on third and final consideration.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1738 by deleting all sections (Sections 1 through 7) of said bill in their entirety and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 11-6-105, is amended by deleting the period at the end of the sixth sentence and by substituting instead the following:

, except that any violation occurring on a site listed in the Tennessee register of archaeological sites and the commercial or archaeological value of the artifact involved and the cost of restoration or repair of such archaeological site or artifact exceeds the sum of five thousand dollars (\$5,000) shall be a felony and punished pursuant to Section 11-6-112.

Section 2. Tennessee Code Annotated, Section 11-6-109, is amended by designating the existing language as subsection (a) and by adding new subsections (b), (c), and (d) as follows:

(b) No person, corporation, partnership, association or any other entity shall excavate, damage, vandalize or remove any artifact from or otherwise alter or deface any site listed in the Tennessee register of archaeological sites without first obtaining landowner permission.

(c) No person, corporation, partnership, association or any other entity shall sell, offer to sell, purchase or offer to purchase, or otherwise exchange any artifact from a site listed in the Tennessee register of archaeological sites if the artifact has been removed or received in violation of this section.

(d) No person, corporation, partnership, association or any other entity shall store, dump, litter or otherwise dispose of any garbage, dead animal, sewage or toxic substance in any cave or sinkhole listed in the Tennessee register of archaeological sites.

Section 3. Tennessee Code Annotated, Section 11-6-110, is amended by deleting from the first sentence the words "Tennessee historical commission" and by substituting instead the words "commissioner of conservation"; by deleting from the first sentence the word "historic" and by substituting instead the word "archaeological"; by deleting the last sentence in its entirety and by substituting instead the following:

Recommendations for such designations shall be made by the state archaeological advisory council in consultation with the state archaeologist and such recommendations, together with appropriate supporting data, shall be submitted to the

commissioner of conservation. In addition to the above, any landowner may petition the commissioner of conservation to have any archaeological site located on the landowner's property publicly designated and placed in the Tennessee register of archaeological sites.

Section 4. Tennessee Code Annotated, Section 11-6-112, is amended by deleting from the first sentence in the first paragraph the words and punctuation "illegal, prohibited, or deemed"; by deleting the words and figures "two hundred dollars (\$200)" and by substituting instead the words and figures "one thousand dollars (\$1,000)"; by designating the presently existing first and second paragraphs of the section as subsections (a) and (c) respectively, and by adding a new subsection (b) as follows:

(b) All acts expressly declared herein to be felonies and in cases where the punishment for such conduct is not otherwise specifically provided but the commercial or archaeological value of the artifact involved and the cost of restoration or repair of the site or artifact exceeds the sum of five thousand dollars (\$5,000), shall be punished as felonies and any person guilty thereof shall for each violation be fined not less than two hundred dollars (\$200) nor more than ten thousand dollars (\$10,000) or imprisoned in the penitentiary for not more than one (1) year, or both.

Section 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provision of this act are declared to be severable.

Section 6. This act shall take effect on becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

Thereupon House Bill No. 1738, as amended, passed its third and final consideration by the following vote:

Ayes	74
Noes	13

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Percy, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington),

Scruggs, Severance, Smith, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood and Yelton--74.

Representatives voting no were: Bell, Bragg, Covington, Hurley, McAfee, McKinney, McNally, Murray, Pickering, Robertson, Sir, Wix and Work--13.

A motion to reconsider was tabled.

Senate Bill No. 2195--To amend Retailers Sales Tax Act.

Mr. Brewer moved that Senate Bill No. 2195 be passed on third and final consideration.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 2195 by inserting the following language as a new section immediately preceding the effective date section and by appropriately renumbering subsequent sections:

SECTION ____. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is amended by inserting the following language as a new section:

There shall be exempt from the sales and use taxes imposed by this Chapter, repairs of machinery and equipment owned by a non-resident of the State of Tennessee and used outside the State of Tennessee in the mining of coal, and the parts, accessories, materials and supplies used in making such repairs if the parts, accessories, materials and supplies become component parts of such machinery and equipment.

For purposes of this Section, repair includes rebuilding and a person, partnership, corporation or other business entity whose principal place of business is outside the State of Tennessee shall be deemed to be a non-resident. The exemption created by this section shall not apply to shop equipment or to tools used in the repair.

Mr. Pickering moved to amend Amendment No. 2 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 2

Amend Amendment No. 2 by deleting from Amendment No. 1 the words "in the mining of coal" and by substituting instead the following:

"in the mining of coal or in the production of agricultural products"

On motion, Amendment No. 1 to Amendment No. 2 was adopted.

Thereupon, Amendment No. 2, as amended, was adopted.

Mr. Brewer moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 2195 by adding the following language as a new effective date section:

This act shall take effect on becoming a law, the public welfare requiring it.

On motion, the amendment was adopted.

On motion, the bill was moved down 5 places.

House Bill No. 1366--To make certain provisions, coal surface mining.

On motion, House Bill No. 1366 was made to conform with Senate Bill No. 1341.

On motion, Senate Bill No. 1341, on same subject, was substituted for House Bill No. 1366.

Mr. Robertson moved that Senate Bill No. 1341 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	81
Noes	6

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, and Mr. Speaker McWherter--81.

Representatives voting no were: Chiles, Cobb, Covington, Montgomery, Murphy and Yelton--6.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 292

House Joint Resolution No. 292--Relative to amending Constitution, age of Senators.

Mr. Hudson moved that House Joint Resolution No. 292 be passed on second reading.

At the request of the sponsor, House Joint Resolution No. 292 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 292, passed its second reading by the following vote:

Ayes	66
Noes	19
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Buck, Byrd, Clark (Sumner), Cobb, Copeland, Covington, Crain, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Gaia, Gill, Harrill, Hassell, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McNally, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Rhinehart, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Webb, Wheeler, Williams, Wood, Work, Yelton and Mr. Speaker McWherter--66.

Representatives voting no were: Atchley, Bewley, Chiles, Davidson, Drew, Frensley, Gafford, Henry, Kelley, Montgomery, Nance, Pickering, Robertson, Scruggs, Ussery, Wallace, Whitson, Wix and Wolfe--19.

Representative present and not voting was: Miller--1.

House Joint Resolution No. 292 was placed on the Calendar for May 21, 1984.

Senate Bill No. 1400--To fix punishment, shoplifting.

Ms. Williams moved that Senate Bill No. 1400 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	88
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer,

Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--88.

Representative voting no was: Drew--1.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 477

House Joint Resolution No. 477--Relative to amending Article II, Section 28, State Constitution.

Mr. Bragg moved that House Joint Resolution No. 477 be passed on second reading.

At the request of the sponsor, House Joint Resolution No. 477 second was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 477 passed its second reading by the following vote:

Ayes	91
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Dispayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

House Joint Resolution No. 477 was placed on the Calendar for May 21, 1984.

Mr. Shirley moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 548 out of order, which motion prevailed.

House Joint Resolution No. 548--Relative to congratulating Mr. and Mrs. Lawson Dudley Mitchel and son--By Shirley.

Mr. Shirley moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 548, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF HOUSE JOINT RESOLUTION NO. 504

House Joint Resolution No. 504--Relative to amending Article II, Section III, State Constitution.

Mr. Ussery moved that House Joint Resolution No. 504 be passed on second reading.

At the request of the sponsor, House Joint Resolution No. 504 was read by the Clerk.

Thereupon, as required by Article XI, Section 3, Constitution of Tennessee, House Joint Resolution No. 504 failed to pass its second reading by the following vote:

Ayes	48
Noes	38
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Brewer, Buck, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Hassell, Hillis, Hurley, Jared, Johnson, Kent, Kernell, King (Shelby), Love, McNally, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robinson (Davidson), Severnance, Stallings, Ussery, Wheeler, Williams, Work and Yelton--48.

Representatives voting no were: Bewley, Bivens, Byrd, Chiles, Cobb, Davis (Gibson), Davis (Pickett), Dills, Ford, Gill, Harrill, Henry, Jones, Kelley, King (Washington), Kisber, McAfee, Montgomery, Murray, Naifeh, Nance, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Smith, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Whitson, Wix, Wolfe, Wood and Mr. Speaker McWherter--38.

Representative present and not voting was: Miller--1.

Under the rules, House Joint Resolution No. 504 was re-referred to the Committee on Calendar and Rules.

House Bill No. 2003--To change composition, certain boards.

On motion, House Bill No. 2003 was made to conform with Senate Bill No. 2073.

On motion, Senate Bill No. 2073, on same subject, was substituted for House Bill No. 2003.

Mr. McNally moved that Senate Bill No. 2073 be passed on third and final consideration.

Mr. McNally moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2073 by deleting SECTIONS 1 through 5 in their entirety and renumbering subsequent sections accordingly.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2073, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

House Bill No. 1163--To regulate health care facilities.

On motion, House Bill No. 1163 was made to conform with Senate Bill No. 1080.

On motion, Senate Bill No. 1080, on same subject, was substituted for House Bill No. 1163.

Mr. McNally moved that Senate Bill No. 1080 be passed on third and final consideration.

Mr. Bell moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1080 amend Section 2 (h) by inserting between the words "Physician" and "means" the words, "as used in this chapter,"

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1080, as amended, passed third and final consideration by the following vote:

Ayes 89
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

House Bill No. 1978--To provide for resolution, certain claims against state.

On motion, House Bill No. 1978 was made to conform with Senate Bill No. 2030.

On motion, Senate Bill No. 2030, on same subject, ws substituted for House Bill No. 1978.

Mr. Murphy moved that Senate Bill No. 2030 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 2030 by deleting Section 2 in its entirety and substituting in lieu thereof the following:

Section 2. The commissioners shall be employed by the board of claims to terms of one (1) year. Each commissioner shall reside in the grand division from which he is appointed for one (1) year prior to appointment, reside in Tennessee for five (5) years prior to appointment and be licensed to practice law in Tennessee for at least five (5) years. They shall be eligible for reappointment. The commission shall appoint one (1) of its members to serve as chairman.

AND FURTHER AMEND by deleting the language of Section 3 of the bill in its entirety and by substituting in lieu thereof the following:

Section 3. Commissioners of the claims commission shall receive compensation on a per diem basis at a rate equal to the per diem salary of a Class One state official for each day or portion of a day while engaged in the official business of the commission. Commissioners shall also be reimbursed for actual travel expenses in accordance with the provisions of the comprehensive travel regulations promulgated by the department of finance and administration.

AND FURTHER AMEND by deleting the first sentence of Section 4(a) in its entirety and by substituting in lieu thereof the following:

The board of claims shall employ an administrative clerk to the claims commission.

AND FURTHER AMEND by deleting the words "executive secretary" wherever they appear and by substituting in lieu thereof "administrative clerk".

AND FURTHER AMEND by deleting Section 6 in its entirety and by substituting in lieu thereof the following:

Section 6. Temporary vacancies on the commission shall be filled by a qualified person employed by the board of claims.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 2030, as amended, passed its third and final consideration by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

Mr. Miller moved that House Bill No. 1817 be placed on the Calendar for Monday, May 21, 1984, which motion prevailed.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent Calendar:

Mr. Davis (Gibson) objected to House Bill No. 2294.

Under the rules, House Bill No. 2294 was placed at the foot of the Calendar for Monday, May 21, 1984.

House Bill No. 1655--To make certain provisions, work performed by prisoners.

On motion, House Bill No. 1655 was made to conform with Senate Bill No. 1395.

On motion, Senate Bill No. 1395, on same subject, was substituted for House Bill No. 1655.

House Bill No. 1101--To create commission, control Supreme Court building.

On motion, House Bill No. 1101 was made to conform with Senate Bill No. 1120.

On motion, Senate Bill No. 1120, on same subject, was substituted for House Bill No. 1101.

House Bill No. 1736--To enact "Consignment of Art Act".

On motion, House Bill No. 1736 was made to conform with Senate Bill No. 1347.

On motion, Senate Bill No. 1347, on same subject, was substituted for House Bill No. 1736.

House Joint Resolution No. 432--Relative to April as Child Abuse and Neglect prevention month.

House Joint Resolution No. 502--Relative to urging Congress to retain George Washington postage stamp.

House Bill No. 357--To make provisions, custody and deposit of county funds.

On motion, House Bill No. 357 was made to conform with Senate Bill No. 100.

On motion, Senate Bill No. 100, on same subject, was substituted for House Bill No. 357.

House Bill No. 2295--To levy tax on hotel occupancy, Henry County.

House Joint Resolution No. 537--Relative to commending Miss Charlotte Youree.

House Joint Resolution No. 538--Relative to honoring Pastor Velucious Purdy.

Senate Joint Resolution No. 228--Relative to congratulating Eston Randolph.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Joint Resolutions on the Consent Calendar be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes	88
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hurley, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representative present and not voting was: Dills--1.

A motion to reconsider was tabled.

Mr. Nance asked to be recorded as voting "no" on House Bill No. 357.

RULES SUSPENDED

Mr. Gill moved that the rules be suspended in order that House Bill No. 1794 can be placed on the Calendar for Tuesday, May 22, 1984, which motion prevailed.

Mr. Gill further moved that all bond bills and related budget matters be placed on the Calendar following House Bill No. 1794, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 1475

Senate Bill No. 1475--To amend Section 70-5-111, Code.

Mr. Tanner moved that the motion to reconsider Senate Bill No. 1475 be lifted from the table, which motion prevailed.

Mr. Tanner moved that the House reconsider its action in passing Senate Bill No. 1475 on third and final consideration, as amended, which motion prevailed.

Mr. Tanner moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Tanner moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 1475, passed its third and final consideration by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 1913--To provide for publication of municipal ordinances.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1913 by deleting from the amendatory language of SECTION 3 the following language:

except in municipalities in any county having a population of not less than twenty-seven thousand nine hundred (27,900) nor more than twenty-seven thousand nine hundred twenty (27,920), according to the 1980 federal census of population or any subsequent federal census.

Mr. Naifeh moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --88.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 1696--To make certain provisions, emergency vehicles.

SENATE AMENDMENT NO. 1

Amend House Bill No. 1696 by adding the following language at the end of the amendatory language in Section 2:

In the event such warning devices are abused or used for other than their intended purpose by a member of the fire departments, the local fire chief shall revoke such member's privilege of using such warning devices and shall notify, in writing, the local sheriff or police chief of such revocation.

SENATE AMENDMENT NO. 3

Amend House Bill No. 1696 by adding a new section, as follows, immediately before the effective date section:

SECTION ____. The provisions of this act shall not apply to counties with populations of not less than two hundred fifty thousand (250,000) nor more than three hundred thousand

(300,000), or more than four hundred thousand (400,000), all according to the 1980 federal census or any subsequent federal census.

SENATE AMENDMENT NO. 4

Amend House Bill No. 1696 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. The provisions of this act shall not apply in any county having a population of not less than 287,700 nor more than 287,800 according to the 1980 federal census of population or any subsequent federal census.

SENATE AMENDMENT NO. 5

Amend House Bill No. 1696 by adding the following new section:

Section _____. The provisions of this act shall not apply to any county having a population of not less than one hundred thousand (100,000) nor more than two hundred thousand (200,000) according to the 1980 federal census or any subsequent federal census of population.

SENATE AMENDMENT NO. 7

Amend House Bill No. 1696 by deleting the section adding by House Amendment #2, which section reads as follows:

The provisions of this act shall not apply in counties having a metropolitan form of government.

AND FURTHER AMEND by adding a new section, as follows:

The provisions of this act shall not apply to any county having a population of not less than 477,800 nor greater than 477,850, according to the 1980 federal census of population or any subsequent federal census.

Mr. Tanner moved that the House concur in Senate Amendments Nos. 1, 3, 4, 5 and 7, which motion prevailed by the following vote:

Ayes	89
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee,

McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

Representative voting no was: Wix--1.

A motion to reconsider was tabled.

SENATE AMENDMENT NO. 6

Amend House Bill No. 1696 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly.

Section__ The provisions of this act shall not apply in any county having a population of not less than 319,625 nor more than 319,725 according to the 1980 federal census of population or any subsequent federal census.

Mr. Tanner moved that the House non-concur in Senate Amendment No. 6, which motion prevailed.

FURTHER CONSIDERATION OF AMENDED BILL

Senate Bill No. 2171--To regulate issuance, special license plates.

Mr. Gafford moved that the House refuse to recede from its action in adopting Amendments Nos. 3, 4, 6 and 8 to Senate Bill No. 2171, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 2207--To amend Comprehensive Education Reform Act.

SENATE AMENDMENT NO. 2

Amend House Bill No. 2207 in Section 6(a)(1)(B) by deleting the words "Specialty Area Test" in the third sentence and substituting instead the words "area test administered and taken beginning November, 1979".

Mr. McNally moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson),

Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --92.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF SENATE BILL NO. 2195

Senate Bill No. 2195--To amend Retailers' Sales Tax Act.

Mr. Brewer moved that Senate Bill No. 2195 be passed on third and final consideration.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 2195 by adding a section:

"No vendor shall be relieved of the responsibility for collecting sales tax under the provisions of this act unless the exemption certificate of the issuing state is a certified true copy"

On motion, the amendment was adopted.

Mr. Davidson moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 2195 by inserting in the amendatory language of the new section added by Amendment No. 2 the words " or heavy construction equipment used for excavation" after the words "production of agricultural products".

On motion, the amendment was adopted.

Mr. McKinney moved that Senate Bill No. 2195 be re-referred to the Committee on Finance, Ways and Means.

Mr. Brewer moved that the motion be tabled, which motion failed by the following vote:

Ayes	35
Noes	51
Present and not voting	2

Representatives voting aye were: Brewer, Byrd, Copeland, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Gafford, Hassell, Hillis, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, Miller, Montgomery, Moore (Sullivan), Naifeh, Nance, Pickering, Robinson (Hamilton), Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wheeler, Williams, Yelton and Mr. Speaker McWherter--35.

Representatives voting no were: Anderson, Atchely, Bell, Bewley, Bivens, Bragg, Buck, Chiles, Clark (Sumner), Crain, Davidson, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hudson, Hurley, Jared, Johnson, Kelley, McAfee, McKinney, McNally, Moody, Moore (Shelby), Murphy, Murray, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Wallace, Webb, Whitson, Wix, Wolfe, Wood and Work--51.

Representatives present and not voting were: Covington and Love--2.

Mr. Wallace moved the previous question, which motion prevailed by the following vote:

Ayes	65
Noes	14
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Kelley, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Moody, Moore (Shelby), Moore (Sullivan), Murray, Nance, Napier, Percy, Phillips, Pruitt, Rhinehart, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Stallings, Tanner, Turner (Hamilton), Wallace, Webb, Whitson, Wix, Wolfe, Wood, Work and Yelton--65.

Representatives voting no were: DeBerry, Hassell, Jones, Kent, Kernell, Montgomery, Naifeh, Robinson (Hamilton), Shirley, Smith, Turner (Shelby), Ussery, Wheeler and Williams--14.

Representative present and not voting was: Owen--1.

Thereupon, the motion to re-refer Senate Bill No. 2195 to the Committee on Finance, Ways and Means prevailed by the following vote:

Ayes	46
Noes	41
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Sumner), Davidson, DePriest, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Jared, Johnson, McKinney, McNally, Moody, Murray, Napier, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Sir, Wallace, Webb, Whitson, Wix, Wood and Work--46.

Representatives voting no were: Brewer, Cobb, Copeland, Crain, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Gafford, Hassell, Hudson, Jones, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Pickering, Robinson (Hamilton), Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wheeler, Williams, Wolfe, Yelton and Mr. Speaker McWherter--41.

Representatives present and not voting were: Covington, Love and Owen--3.

BILL RECALLED

On motion of Mr. Crain, Senate Bill No. 1462, was recalled from the Senate for further consideration.

Mr. Bivens moved that the rules be suspended for the purpose of introducing House Bill No. 2301 out of order, which motion prevailed.

House Bill No. 2301--To regulate mobile homes, Bradley County--By Bivens, Webb, and Copeland.

Mr. Bivens moved that the rules be suspended for the immediate consideration of House Bill No. 2301, which motion prevailed.

Mr. Bivens moved that House Bill No. 2301 be passed on first consideration, which motion prevailed.

Mr. Kisber moved that the rules be suspended for the purpose of introducing House Bill No. 2302 out of order, which motion prevailed.

House Bill No. 2302--To amend Section 70-4-209, Code--By Kisber and Wallace.

Mr. Kisber moved that the rules be suspended for the immediate consideration of House Bill No. 2302, which motion prevailed.

Mr. Kisber moved that House Bill No. 2302 be passed on first consideration, which motion prevailed.

Ms. Montgomery moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 550 out of order, which motion prevailed.

House Joint Resolution No. 550--Relative to memory, H.J. Shivell--By Montgomery, Yelton and Hurley.

Ms. Montgomery moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 550, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Hillis moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 555 out of order, which motion prevailed.

House Joint Resolution No. 555--Relative to 40th birthday, Smokey the Bear--By Hillis, Johnson, Bivens, DePriest and Stallings.

Mr. Hillis moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 555, which motion prevailed.

Mr. Hillis moved that House Joint Resolution No. 555 be adopted, which motion prevailed by the following vote:

Ayes	83
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Hassell, Henry, Hillis, Hudson, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Smith, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--83.

A motion to reconsider was tabled.

Mr. Tanner moved that the rules be suspended for the purpose of introducing House Resolution No. 145 out of order, which motion prevailed.

House Resolution No. 145--Relative to study, unfair trade practices, milk and frozen desserts--By Tanner and Robinson (Washington).

Mr. Tanner moved that House Resolution No. 145 be adopted, which motion prevailed by the following vote:

Ayes	83
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Williams, Wolfe, Wood, Work and Yelton--83.

A motion to reconsider was tabled.

Mr. Atchley moved that the rules be suspended for the purpose of introducing House Bill No. 2303 out of order, which motion prevailed.

House Bill No. 2303--To amend Charter, Gatlinburg--By Atchley and Huskey.

Mr. Atchley moved that the rules be suspended for the immediate consideration of House Bill No. 2303, which motion prevailed.

Mr. Atchley moved that House Bill No. 2302 be passed on first consideration, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1462, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Crain moved that the rules be suspended for the immediate consideration of Senate Bill No. 1462, which motion failed by the following vote:

Ayes	40
Noes	43
Present and not voting	2

Representatives voting aye were: Bell, Bivens, Buck, Byrd, Clark (Davidson), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Disspayne, Gafford, Gill, Hillis, Hurley, Jared, Johnson, Kent, Kisber, Love, McKinney, Moore (Sullivan), Murray, Naifeh, Napier, Phillips, Robinson (Davidson), Severance, Sir, Stallings, Tanner, Turner (Hamilton), Turner (Shelby), Wheeler, Wix, Work, Yelton and Mr. Speaker McWherter--40.

Representatives voting no were: Anderson, Atchley, Bewley, Bragg, Brewer, Chiles, Clark (Sumner), Cobb, Dixon, Drew, Duer, Ford, Frensley, Gaia, Harrill, Hassell, Henry, Hudson, Jones, Kelley, Kernell, King (Washington), McAfee, McNally, Montgomery, Moody, Moore (Shelby), Murphy, Nance, Percy, Pruitt, Rhinehart, Robertson, Robinson (Washington), Scruggs, Smith, Ussery, Wallace, Webb, Whitson, Williams, Wolfe and Wood--43.

Representatives present and not voting were: Miller and Owen--2.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

978--To regulate discriminatory housing accommodation.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

197--Relative to study, bingo law; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1815--To make certain provisions, dams and impounded water;

2181--To amend Title 9, Chapter 13, Code; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1849--To provide services for mentally ill;

1858--To reduce time, retention of certain motor vehicle records; both substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

178--To make certain provisions, department of Public Health;

1877--To make certain provisions, bingo games;

2140--To make certain provisions, property taxes;

2170--To amend Public Building Authorities Act; all substituted for Senate Bills on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

188--Relative to amendment, Article II, Tennessee Constitution.

The resolution passed three readings in the Senate by a roll call vote in accordance with Article XI, Section 3, Constitution of the State of Tennessee.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1965--To regulate authority, Commissioners, Department of Health and Environment; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No. 1990, as requested.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 2295; and House Joint Resolutions Nos. 432, 502, 537, 538, 548, 550 and 555; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1885--To exempt certain educational institutions, property tax;

2023--To provide for fees, County Conservation Boards;

2114--To regulate financial aid of nonprofit charitable organizations; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

276--Relative to approving amendments to Rules of Appellate

Procedure, substituted for Senate Joint Resolution on same subject and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SECOND ROLL CALL

A roll call was taken with the following results:

Present 89

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --89.

INTRODUCTION OF RESOLUTIONS

House Joint Resolutions No. 542--Relative to honoring American Legion Post 202, Gatlinberg--By Atchley and Huskey.

Under the rules, House Joint Resolution No. 542 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 543--Relative to honoring Carolyn Peck--By Atchley and Ford.

Under the rules, House Joint Resolution No. 543 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 544--Relative to honoring Carolyn Peck--By Drew and Mr. Speaker McWherter.

Under the rules, House Joint Resolution No. 544 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 2298--To authorize tax on hotel occupancy, Henry County--By Kelley and Mr. Speaker McWherter.

Passed first consideration.

THURSDAY, MAY 17, 1984--77th LEGISLATIVE DAY

House Bill No. 2299--To amend Charter, Brownsville--By Crain.

Passed first consideration.

House Bill No. 2300--To provide for county executive committee, Madison County--By Kisber.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 2296--To regulate zoning, certain municipalities.

Passed second consideration and referred to Committee on State and Local Government.

House Bill No. 2297--To regulate Board of Utility Commissioners, Jackson.

Passed second consideration and held without reference.

NOTICE PURSUANT TO RULE NO. 57

Pursuant to Rule No. 57, sponsors gave notice of their intentions to consider the following measures from the Senate on Monday, May 21, 1984:

House Bill No. 178--Henry

House Bill No. 1815--McNally

House Bill No. 1849--Scruggs

House Bill No. 1858--Montgomery

House Bill No. 1877--Turner (shelby)

House Bill No. 2170--Scruggs

House Bill No. 2140--Chiles

Senate Bill No. 1462--Crain

Senate Bill No. 1990--Miller

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1604--Turner (Hamilton), Drew, Love

House Bill No. 1988--Henry

House Bill No. 1638--Drew, Johnson, Kelley, Harrill, McAfee, Love, Kent, DePriest, Covington, Cobb, Ellis, Severance, Owen, Scruggs, Miller, McNally, Elsea, Davidson

House Bill No. 1408--McNally

SPONSOR REMOVED

On motion of Mr. Bragg, his name was removed as sponsor of House Bill No. 655.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolutions Nos. 506, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

1489--To provide for retirement credit, certain part-time employees;

1738--To provide for protection of artifacts and archaeological sites;

1783--To provide property tax relief, certain disabled taxpayers;

1812--To make certain provisions, water quality control;

1892--To regulate Real Estate Commission; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

1783--To make certain provisions, renovation center, certain motor vehicles;

2086--To change name, Municipal Recreation Systems;

2202--To regulate certain municipal elections;

2207--To levy tax, road system, certain counties;

2231--To regulate certain civil suits;

2252--To regulate charter form of county government; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

142--Relative to approving amendments, Rules of Civil Procedure;

205--Relative to approving Rules of Juvenile Procedure;

229--Relative to memory, Dr. Eddie Tyron Goins;

230--Relative to memory, Representative W. C. Herndon, Jr.;

231--Relative to commending Steve Maury;

232--Relative to memory, James Rod "Uncle Jim" Cates;

233--Relative to memory, Cora S. Johnson;

234--Relative to honoring Theodore R. McLemore;

235--Relative to commending Reverend William A. Suggs;

237--Relative to commending David Miller;

238--Relative to congratulating Nissan Motor Manufacturing Corporation U.S.A.;

239--Relative to congratulating Holder Kennedy and Company, Inc.;

240--Relative to designating Bristol, "Birthplace of Country Music";

241--Relative to commending Thomas I. Willard;

242--Relative to honoring Darlene M. Willard;

243--Relative to honoring Walter P. Armstrong, Jr.;

244--Relative to certain funding, U. S. Forest Service Silvicultural Lab; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

LOCAL BILL REFERRED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bill, having received authorization for passage by the local legislative delegation, was transmitted to the Committee on Calendar and Rules: House Bill No. 2297.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Monday, May 21, 1984: House Resolution No. 98; House Joint Resolutions Nos. 273, 286, 305, 317, 336, 401, 430, 435, 469, 503; House Resolution No. 138; House Bills Nos. 2142, 2130, 2290, 1964, 1352, 598, 2271; House Joint Resolution No. 480; House Bills Nos. 1382, 1657, 2265, 2205; Senate Joint Resolution No. 122; House Joint Resolutions Nos. 355, 527, 531, 515; House Resolution No. 142; House Bill No. 1637; House Resolution No. 13; House Joint Resolution No. 454; House Bill No. 1537; House Joint Resolutions Nos. 472, 542, 543, 544; House Bill No. 2297 and Senate Bill No. 1764.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 769, 1057, 1374, 1593, 1810, 1821, 1910, 2051, 2119, 2273, 2281, 2284, 2288 and 2289; also, House Joint Resolutions Nos. 507, 508, 509, 511 and 528; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 769, 1057, 1374, 1593, 1810, 1821, 1910, 2051, 2119, 2273, 2281, 2284, 2288 and 2289; and House Joint Resolutions Nos. 507, 508, 509, 511 and 528; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Monday, May 21, 1984: House Bills Nos. 1775, 1777, 1690, 1900, 1594, 2063, 655, House Joint Resolutions Nos. 497, 523, Senate Joint Resolution No. 190, House Bills Nos. 1874, 2085, 1896, 2087, 2093, 1419, 2229, 2024, Senate Bill No. 1308, House Joint Resolutions Nos. 477 and 292.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 4:00 p.m., Monday, May 21, 1984.